IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT APPEAL NO : 1837 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 27/10/2004 in W.P.M.P NO. 25694 OF 2004 in W.P NO : 19625 OF 2004 on the file of the High Court.)

Between:

Dr. B. Narayana Murthy, S/o. Late Satyanarayana Murthy,

Hindu, Working as Principal M.R. College of Education,

Vizianagaram.

..... APPELLANT

AND

1. Andhra University, Represented by its Registrar,

Visakhapatnam.

2. Prof. Y.C. Simhadri, Vice Chancellor, Andhra University,

Visakhapatnam.

3 Prof. N. Venkata Rao, Associate Professor, Department of

Education, Andhra University, Visakhapatnam.

.....RESPONDENTS

For the Appellant: MR. V.JOGAIAH SARMA, Advocate.
For the Respondents: DR.P.B.VIJAY KUMAR, Advocate.

The Court made the following Order: (per Sri B. Sudershan Reddy, J)

We are not inclined to interfere with such discretionary interlocutory order as the one under appeal passed by the learned single Judge. The question whether the 3rd respondent is entitled to be appointed as the Chairman, Board of Studies is required to be gone into in the main writ petition.

The Writ Appeal fails and shall accordingly stand dismissed.

The University to file its counter affidavit within two weeks from today. The appellant is directed to take out notice as against the 3rd respondent returnable in two weeks. Liberty is given to the appellant to make a mention for hearing of the writ petition after the counters are filed by the respondents.

(B. Sudershan Reddy, J)

26-11-2004

(T.Ch. Surya Rao, J)

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To

1. Andhra University, Represented by its Registrar,

Visakhapatnam.

2. Two CD copies.

3. Prof. Y.C. Simhadri, Vice Chancellor, Andhra University,

Visakhapatnam.

4. Prof. N. Venkata Rao, Associate Professor, Department of

Education, Andhra University, Visakhapatnam.